AFFIDAVIT Lt. Col. James C. Russick, USAFR

I, JAMES C. RUSSICK, being first duly sworn, hereby depose and state:

- 1. This affidavit is submitted in support of Col. Gregory P. Holder, an officer I have known and worked with closely as members of the Reserve service to the Air Force.
- 2. I was commissioned in the United States Air Force on June 1, 1974, having participated in the ROTC program at Dennison University in Granville, Ohio. I have served in the Air Force for more than 24 years, and retired as a Lt. Col. My active duty assignments have included serving as the Chief of the Civil Law Division at Mac Dill Air Force Base, Tampa, Florida, and as Chief of Claims and later as Area Defense Counsel at Misawa Air Force Base, Misawa, Japan. Upon my separation from active duty, I served in the Air Force Reserves as a Judge Advocate until my retirement as a Lt. Col in May, 2003.
- 3. I received an educational deferment to attend law school. I graduated from Pepperdine University School of Law, Malibu, California in May of 1977, and passed the Ohio Bar exam in 1977. I commenced active duty service in January 1978 and was assigned to MacDill AFB, Tampa, Florida. I took the Florida Bar exam while stationed at MacDill and was admitted to the Florida Bar in January 1980.
- 4. I am currently Florida State Counsel for Old Republic National Title Insurance Company in Tampa, Florida. I have been a Board Certified Real Property practitioner since 1997. I am a past Director of the Florida Land Title Association. I currently serve on the Government Affairs Judiciary Committee and have been the past chairman of that body. The Insurance Commissioner of the State of Florida appointed me as a member of the Sunset Review Committee which rewrote the Florida title insurance statutes. I am a member of the Title Standards Committee of the Florida Bar.
- 5. I am familiar with Colonel Holder's educational and military background. I know that he graduated from the United States Military Academy at West Point in 1975, and that he served on active duty with the Air Force as a judge advocate before transferring, as did I, to the Air Force Reserve.
- 6. I have known Col. Holder for approximately 15 years. When we met, he was on active duty as a Major and the Chief of Military Justice at MacDill AFB. Later we were classmates at the 1998 Air War College courses at Mac Dill Air Force Base, Tampa, Florida.
- 7. Through articles in local newspapers, I recently became aware that the Air Force and the Florida Judicial Qualifications Commission have received, from an anonymous source, a copy of an Air War College paper allegedly written by Col. Holder which contains portions allegedly plagiarized from a document originally written by E. David Hoard, who is also well known to me. I immediately contacted Col. Holder to remind him that he had shown me his Air War College paper in 1998.
- 8. I recall that Col. Holder and I were both going to write on the World War II bombing campaign in Europe and had gone to the library together and had started our research. I intended to submit my paper during the same session as did Lt. Col. Holder, but did not complete the assignment due to my Mother's failing health and subsequent death. I specifically recall that then-Lt. Col. Holder and I were in the AWC classroom at MacDill speaking about the AWC assignment one evening before class. I specifically recall asking him about the format required of the AWC for this assignment. Then-Lt. Col. Holder spontaneously said to me, "Here's mine. Take a look." He gave me a "clean" copy of the paper which he had recently submitted to the AWC. I specifically recall that there were no comments or extraneous writing on the document. I specifically recall being impressed with Col. Holder's paper and knowing that it was substantially superior to the paper I had prepared on the same topic. I thought to myself at that time, "I hope that mine passes."

- Consistent with my position as a title attorney, I am very much a detail-oriented person and thought I might be able to identify Col. Holder's paper from having previously read it. Accordingly, at the request of Col. Holder's civilian trial counsel, I have reviewed the AWC paper alleged to be Col. Holder's. I can unequivocally state that I had never before read the alleged Holder AWC paper. The paper Alleged to be Col. Holder's is not the same one I read in 1998.
- 10. I also note that I know Col. E. David Hoard as well, but I gave never received or read Col. Hoard's paper.
- I eventually submitted an AWC paper and I recall only that I received a satisfactory grade. I do not 11. recall the final topic I selected and have looked for, but no longer have my WC paper. I do not recall further discussions with Col. Holder as to either of our AWC submissions. This was one assignment among many.
- At no time have I ever observed any behavior by Col. Holder that was inconsistent with the highest standards for officers, judge advocates, and judges. Col. Holder has a strong work ethic that is unsurpassed by any other officer I know. Shortcuts are not part of his make-up. I have been informed that others who read Col. Holder's paper, and even Col. Holder himself, did not believe that the paper was as good as his usual work product. I can only say that I thought his paper was better than mine. Given the constraints on Col. Holder's time, it would not be surprising if he felt he did not spend enough time on the paper.
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involving the actions of several other judges and	included, are well aware of the "courthouse controve their interaction with and impact on Col. Holder. The stre ol. Holder should not be underestimated by those not fam
	/s/
	JAMES C. RUSSICK, Lt. Col., USAFR
STATE OF FLORIDA COUNTY OF HILLSBOROUGH	
The foregoing Affidavit was sworn to and subscr Russick.	ribed to before me this 5 th day of August 2003, by James C.
/s/	
Notary Public	
State of Florida	
Connie M. Whitmire	
Commission DD062064	
Expires Oct 29, 2005	

My Commission expires_

Personally known ____or produced the following identification_____